

HOUSE BILL No. 1302

DIGEST OF INTRODUCED BILL

Citations Affected: IC 15-4-1-16.

Synopsis: Regulation of seeds. Prohibits a political subdivision from regulating the storage and use of seeds unless the political subdivision is granted a waiver by the state seed commissioner.

Effective: July 1, 2005.

Gutwein, Friend, Grubb

January 11, 2005, read first time and referred to Committee on Agriculture and Rural Development.

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First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

HOUSE BILL No. 1302

A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 15-4-1-16 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2005]: **Sec. 16. (a) Except as provided in subsection (c), a political**
4 **subdivision (as defined in IC 36-1-2-13) may not regulate the**
5 **advertising, labeling, distribution, sale, transportation, storage, or**
6 **use of seeds.**

7 **(b) A political subdivision may, by resolution, petition the state**
8 **seed commissioner for a hearing to allow a waiver to adopt an**
9 **ordinance because of special circumstances relating to the**
10 **advertising, labeling, distribution, sale, transportation, storage, or**
11 **use of seeds. If a petition is received, the state seed commissioner**
12 **shall hold a public hearing to consider granting the waiver**
13 **requested. The public hearing must be conducted in an informal**
14 **manner. IC 4-21.5 does not apply to a public hearing under this**
15 **section.**

16 **(c) If the state seed commissioner, after a public hearing under**
17 **subsection (b), grants a political subdivision's petition for a waiver,**



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1 the political subdivision may regulate the advertising, labeling,
2 distribution, sale, transportation, storage, or use of seeds to the
3 extent allowed by the waiver.

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